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TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/672,961
Filing Date	September 26, 2003
First Named Inventor	Glenn J. Leedy
Art Unit	2822
Examiner Name	Monica Lewis
Attorney Docket Number	ELM/002 Cont. 4

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form (in duplicate) <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input checked="" type="checkbox"/> Supplemental Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Formal Drawings <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney (EXECUTED)  <input type="checkbox"/> Executed Declaration  <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1) Return Postcard 2) 3 foreign references and 1 non-patent reference
<div style="border: 1px solid black; padding: 2px;">Remarks</div> <p>The Director is hereby authorized to charge any fee(s) that may be due under 37 CFR 1.16 or 1.17 to Deposit Account No. <u>06-1075</u>. A duplicate copy of this letter is enclosed.</p>		
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
Firm Name	Customer No. 1473	
Signature	<u>Matthew S. Bertenthal</u>	
Printed name	Matthew S. Bertenthal	
Date	November 20, 2007	Reg. No. 61,129

## CERTIFICATE OF TRANSMISSION/Express Mail No. EM 111718081 US

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and are addressed to Hon. Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Signature	<u>Sarah Schlie</u>	
Typed or printed name	Sarah Schlie	
	Date	November 20, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



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PATENTS  
ELM/002 Cont. 4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicant : Glenn J. Leedy

Application No. : 10/672,961 Confirmation No. : 9439

Filed : September 26, 2003

For : THREE DIMENSIONAL MULTI LAYER MEMORY AND  
CONTROL LOGIC INTEGRATED CIRCUIT STRUCTURE

Group Art Unit : 2822

Examiner : Monica Lewis

New York, New York  
November 20, 2007

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. §§ 1.56 and 1.97,  
applicant wishes to call the attention of the Examiner to the  
following documents:

U.S. PATENT DOCUMENTS

4,954,875	Clements	09/04/90
5,481,133	Hsu	01/02/96

11/26/2007 TNGUYEN2 00000031 061075 10672961

01 FC:1806 180.00 DA



## FOREIGN DOCUMENTS

EP 0 238 089 A2	Fujitsu Ltd.	09/23/1987
EP 0 703 618 A1	FRAUNHOFER- GESELLSCHAFT ZUR FÖRDERUNG DER ANGEWANDTEN FORSCHUNG E.V.	03/27/1996
EP 0 703 619 A1	FRAUNHOFER- GESELLSCHAFT ZUR FÖRDERUNG DER ANGEWANDTEN FORSCHUNG E.V.	03/27/1996

## NON-PATENT DOCUMENTS

Mitsumasa Koyanagi et al., "Design of 4-KBIT X 4-layer Optically Coupled Three-Dimensional Common Memory For Parallel Processor System," IEEE Journal of Solid-State Circuits, Vol. 25, No. 1, February 1, 1990.

The aforementioned U.S. Patent Documents, which are listed on the accompanying Form PTO/SB/08 (submitted in duplicate), fall under 37 C.F.R. § 1.98(a)(2)(ii) for which the requirement to provide copies is waived. Accordingly, no copies of the aforementioned U.S. Patent Documents are provided. Copies of the aforementioned foreign documents and non-patent documents are being provided herewith.

Each of the aforementioned references was cited in a Supplementary European Search Report dated June 1, 2007 in European Patent Application No. 98914558.6, counterpart of U.S. Patent Application No. 08/835,190, now U.S. Patent No. 5,915,167.



It is respectfully requested that these references be:

(1) fully considered by the Patent and Trademark Office during the examination of this application; and (2) printed on any patent which may issue on this application. Applicant requests that a copy of Form PTO-SB/08A, as considered and initialed by the Examiner, be returned with the next communication.

The Information Disclosure Statement filed herewith is submitted after the mailing date of a Final Office Action, a Notice of Allowance, or an Office Action that otherwise closes prosecution. Accordingly, a \$180.00 fee is due pursuant to 37 C.F.R. § 1.17(p). The director is hereby authorized to charge the \$180.00 fee, and any additional fees that are due, to Deposit Account No. 06-1075.

Respectfully submitted,

*Matthew S. Bertenthal*

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